

**JUDGE KARAS**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

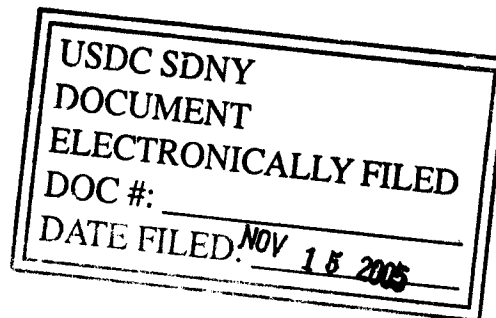
- v. -

CARLOS HEREDIA,

Defendant.

**05CRIM. 1205**

05 Cr. \_\_\_\_\_



COUNT ONE

The Grand Jury charges:

1. On or about July 13, 2005, in the Southern District of New York, CARLOS HEREDIA, the defendant, unlawfully, intentionally, and knowingly did possess with intent to distribute a controlled substance, to wit, approximately 6 kilograms of mixtures and substances containing a detectable amount of cocaine.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.)

COUNT TWO

The Grand Jury further charges:

2. On or about July 13, 2005, in the Southern District of New York, CARLOS HEREDIA, the defendant, unlawfully, willfully, and knowingly used and carried a firearm during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, and possessed a firearm in furtherance of such drug trafficking crime, to wit, HEREDIA used, carried, and possessed a loaded Beretta 9-

millimeter semi-automatic handgun during, in relation to, and in furtherance of the crime charged in Count One of this Indictment.

(Title 18, United States Code, Sections 924(c) and 2.).

COUNT THREE

The Grand Jury further charges:

3. On or about July 13, 2005, in the Southern District of New York, CARLOS HEREDIA, the defendant, after having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit, (1) a conviction on or about October 29, 1992, in the Kings County Supreme Court, for attempted criminal possession of a controlled substance in the third degree, and (2) a conviction on or about January 31, 2003, in the Westchester County Court, for attempted possession of a forged instrument in the second degree, unlawfully, willfully, and knowingly, did possess in and affecting commerce, a firearm, to wit, a loaded .9 mm Luger semiautomatic handgun, which had previously been shipped and transported in interstate commerce.

(Title 18, United States Code, Section 922(g)(1).)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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- v. -

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Defendant.

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INDICTMENT

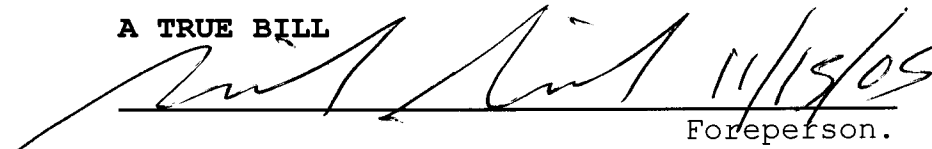
05 Cr.

(Title 21, United States Code, Sections  
812, 841(b)(1)(B); Title 18, United  
States Code, Sections 924(c) and  
(922(g)(1).)

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MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL

 11/15/05  
Foreperson.

11/15/05 PTD for Post 11-1-87 This case  
is assigned to Judge Karns

Magistrate Judge